

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: AGWAY FARM & HOME SUPPLY, LLC ¹ , Debtor.	Chapter 11 Case No. 22-10602 (JKS) Obj. Deadline: November 18, 2022 at 4:00 p.m. (ET)
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**SUMMARY OF THIRD MONTHLY APPLICATION OF MORRIS JAMES LLP,
AS COUNSEL TO THE DEBTOR, FOR ALLOWANCE
OF COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE
PERIOD FROM SEPTEMBER 1, 2022 THROUGH SEPTEMBER 30, 2022**

Name of Applicant	<u>Morris James LLP</u>
Authorized to provide professional services to:	Counsel to the Debtor and Debtor-in-Possession of <u>Agway Farm & Home Supply, LLC</u>
Date of retention order:	<u>August 3, 2022 <i>nunc pro tunc</i> to July 5, 2022</u>
Period for which compensation and reimbursement sought:	<u>September 1, 2022 – September 30, 2022</u>
Compensation sought as actual, reasonable, and necessary:	<u>\$38,026.00</u>
Expense reimbursement sought as actual, reasonable, and necessary:	<u>\$220.00</u>
This is a(n): <u> X </u> monthly <u> </u> interim <u> </u> final	

¹ The last four digits of the Debtor's federal tax identification number are 1247. The Debtor's address is 6606 W. Broad Street, Richmond, VA 23230.

Previous Applications:

Monthly Fee Application Filing Date & Docket No.	Period Covered	Total Fees Requested	Total Expenses Requested	CNO Filing Date & Docket No.	Amount of Fees Authorized to be Paid	Amount of Expenses Authorized to be Paid
11/8//22 [D.I. ____]	July 5, 2022 – July 31, 2022	\$117,636.50	\$2,219.70	To be filed 11/21/22	-	-
11/8//22 [D.I. ____]	August 1, 2022 – August 31, 2022	\$73,989.50	\$356.20	To be filed 11/21/22	-	-
TOTALS		\$191,626.00	\$2,575.90		-	-

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AGWAY FARM & HOME SUPPLY, LLC¹,

Debtor.

Chapter 11

Case No. 22-10602 (JKS)

Obj. Deadline: November 18, 2022 at 4:00 p.m. (ET)

**THIRD MONTHLY APPLICATION OF MORRIS JAMES LLP,
AS COUNSEL TO THE DEBTOR, FOR ALLOWANCE
OF COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE
PERIOD FROM SEPTEMBER 1, 2022 THROUGH SEPTEMBER 30, 2022**

Morris James LLP (“Morris James”), counsel to the debtor and debtor-in-possession in the above-referenced bankruptcy case (the “Debtor”), hereby submits its monthly fee application (the “Application”) for entry of an order pursuant to section 331 of title 11 of the United States Code, 11 U.S.C. §§101 et seq., as amended (the “Bankruptcy Code”) granting interim compensation in the amount of \$38,026.00 and reimbursement of expenses in the amount \$220.00 for the period from September 1, 2022 through September 30, 2022 (the “Compensation Period”), and in support thereof, Morris James respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B).

2. Venue of this proceeding and this Application is proper in this District pursuant to 28 U.S.C. §§1408 and 1409.

3. The statutory predicate for the relief sought herein is section 331 of the Bankruptcy Code.

¹ The last four digits of the Debtor’s federal tax identification number are 1247. The Debtor’s address is 6606 W. Broad Street, Richmond, VA 23230.

BACKGROUND

4. On July 5, 2022 (the “Petition Date”), the Debtor filed its voluntary petitions for relief under Chapter 11 of the Bankruptcy Code (the “Chapter 11 Case”).

5. The Debtor has continued to operate and manage its business as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in this Chapter 11 Case.

6. On July 13, 2022, the Debtor filed its *Debtor’s Application for an Order Authorizing and Approving the Employment of Morris James LLP as Counsel to the Debtor nunc pro tunc to July 5, 2022* (the “Retention Application”) [Docket No. 51], and on August 3, 2022, the Court entered an order approving the Retention Application [Docket No. 51].

7. On July 13, 2022, the Debtor filed a Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals (the “Interim Compensation Motion”) [Docket No. 54], and on August 3, 2022, the Court entered an Order approving the Interim Compensation Motion (the “Interim Compensation Order”) [Docket No. 114].

8. A chart detailing the fees during the Compensation Period, by professional and by category and a full and detailed statement describing the services rendered during the Compensation Period, by each professional and paraprofessional at Morris James are both attached as **Exhibit A**.

9. The total sum due to Morris James for professional services rendered on behalf of the Debtor during for the Compensation Period is \$38,026.00. Morris James submits that the professional services it rendered on behalf of the Debtor during this time were reasonable and necessary.

10. Morris James incurred \$220.00 of expenses during the Compensation Period. A

chart detailing the specific disbursements are attached hereto as **Exhibit B**.

11. The undersigned hereby attests that she has reviewed the requirements of Local Rule 2016-1 and this Application conforms to such requirements, including that travel time was not billed at more than half rate and copying charges were only \$.10 per page.

WHEREFORE, Morris James hereby requests pursuant to the procedures allowed in the Interim Compensation Order: (i) interim allowance of compensation for necessary and valuable professional services rendered to the Debtor in the amount of \$38,026.00 and reimbursement of expenses in the amount of \$220.00 for the period from September 1, 2022 through September 30, 2022; (ii) payment in the total amount of \$30,640.80 (representing 80% of the total fees (\$30,420.80) billed and 100% of the expenses (\$220.00) incurred during the Compensation Period); and (iii) such other relief as this Court deems just and proper.

Dated: November 8, 2022
Wilmington, Delaware

MORRIS JAMES LLP

/s/ Brya M. Keilson

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